

August 2002

# Pacific Islands Critical Habitat Update

## Aloha!

Welcome to the second edition of the Pacific Islands Critical Habitat Update, a way for the Fish and Wildlife Service to keep you informed on the events concerning designation of critical habitat in Hawaii and the Mariana islands. In this edition we have included a new section "Published Final Rules," which will give the CFR and Part numbers of all Critical Habitat Final Rules, to assist in locating them in the *Federal Register*.

If there are any questions or suggestions on the material printed, or you would like more information, please feel free to contact us at:

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Mahalo for your continued interest in Pacific islands critical habitat!

Paul Henson Field Supervisor



Kanaloa kahoolawensis

#### **MEETINGS**

Our staff is meeting with various scientists, land owners, land managers, and stakeholder groups in a continuing effort to receive input and improve critical habitat proposals. Some of the recent meetings are listed below.

#### TO DATE

| Participants   | Date            | Location                         |  |
|--|-----------------|----------------------------------|--|
| Statewide Plants; The Nature Conservancy, Hawaii (TNCH)                    | August 2, 2002  | TNCH, Oahu                       |  |
| Kauai and Lanai Plants; Patsy Mink and Staff                               | August 2, 2002  | Patsy Mink's Office              |  |
| Big Island Plants; Queen Emma Foundation, Hancock                          | August 21, 2002 | Big Island                       |  |
| Big Island Plants and BSM; Hawaii Cattleman's Association                  | August 23, 2002 | Big Island                       |  |
| Molokai Plants; Public Meeting; Community                                  | August 26, 2002 | Mitchell Pauole Center, Molokai  |  |
| Maui Plants and Blackburn's sphinx moth (BSM) Public Meeting;<br>Community | August 27, 2002 | Arts and Cultural Center, Maui   |  |
| Molokai Plants; Puu O Hoku Ranch   | August 27, 2002 | Puu O Hoku Ranch                 |  |
| Mauai Plants; Maui Nui Division of Forestry and Wildlife (DOFAW) Staff     | August 29, 2002 | Maui Nui DOFAW Baseyard,<br>Maui |  |
| Maui Plants; Haleakala Ranch   | August 30, 2002 | Haleakala Ranch                  |  |

#### **UPCOMING**

| Participants   | Date               | Time                          | Location  |
|--|--------------------|-------------------------------|---|
| Kauai Public Information Meeting                               | September 4, 2002  | 5:00-8:00pm                   | Waimea Neighborhood Center, Kauai               |
| Kauai Public Information Meeting                               | September 5, 2002  | 5:00-8:00pm                   | KCC Performing Arts Center, Lihue, Kauai        |
| Molokai Public Hearing   | September 9, 2002  | 3:30-4:30pm*<br>6:00-8:00pm** | Mitchell Pauole Center, Kaunakakai,<br>Molokai  |
| Maui Public Hearing (Plants and Blackburn's sphinx moth)       | September 12, 2002 | 3:30-4:30pm*<br>5:30-8:30pm** | Maui Arts and Cultural Center, Kahului,<br>Maui |
| Maui Public Information Meeting                                | September 26, 2002 | 4:30-7:00pm                   | Arts and Cultural Center, Maui                  |
| Big Island Public Information Meeting                          | October 8, 2002    | 5:30-8:30pm                   | State Office Rm. B&C, Hilo, Big Island          |
| Big Island Public Information Meeting                          | October 9, 2002    | 5:00-8:00pm                   | Waimea Civic Center, Big Island                 |
| Big Island Public Hearing (Plants and Blackburn's sphinx moth) | TBA                | ТВА                           | Kailua-Kona, Big Island                         |
| Big Island Public Hearing                                      | TBA                | TBA                           | Hilo, Big Island                                |
| Oahu Public Hearing  | TBA                | TBA                           | Honolulu, Oahu                                  |
| Guam Public Hearing  | TBA                | TBA                           | Guam  |
| Rota Species Public Hearing                                    | TBA                | TBA                           | Rota  |

<sup>\*</sup> The Question and Answer period allows the Service to respond immediately to any questions that you may have. The Service will also have maps, handouts, and staff biologist on hand.

<sup>\*\*</sup> During the Public Hearing period, the Service will take testimony but will not be answering any questions.

#### PEER/STAKEHOLDER REVIEW

Critical habitat peer/stakeholder review packages are sent out to scientists, land managers, and stakeholders such as hunting associations to request their comments on the proposed rule and the economic analysis. These comments help bring out new information, assess current scientific knowledge, and provide general viewpoints of the reviewers if they do or do not support the proposals.

Included in the packages sent to reviewers is the *Federal Register* notice, a fact sheet about the package (i.e., Kauai plants or Newcomb's snail), and two maps. One map shows the area of the plants in relation to where critical habitat is proposed and the other shows plants and tax districts. In this way, the reviewer can see if the area delineated is part of a conservation district, state park or on private land. The economic analysis is also sent when it becomes available.

When packages are sent out, a reviewer has about 45-60 days to respond. If the economic analysis is not available at the time the package is published, the reviewers will have another 30 days to respond with comments once it is available.

| Package                              | Number of Reviewers | Number of Comments Received to Date |
|--------------------------------------|---------------------|-------------------------------------|
| Northwestern Hawaiian Islands Plants | 9                   | 1                                   |
| Kauai/Niihau Plants                  | 21                  | 7                                   |
| Oahu Plants                          | 17                  | 2                                   |
| Maui/Kahoolawe Plants                | 17                  | 8                                   |
| Molokai Plants                       | 15                  | 4                                   |
| Lanai Plants                         | 12                  | 3                                   |
| Big Island Plants                    | 21                  | 1                                   |
| Newcomb's Snail                      | 6                   | 6                                   |
| Kauai Cave Inverterbrate             | 5                   | 5                                   |
| Blackburn's Sphinx Moth              | 14                  | 8                                   |
| Guam and Rota species                | N/A                 | N/A                                 |

#### **PUBLISHED FINAL RULES**

To assist in locating the Final Rule in the *Federal Register*, we have listed the rule with the information that you need to know. The *Federal Register* can be found on the web at: pacificislands.fws.gov under critical habitat updates.

| RULE            | DATE PUBLISHED    | 50 CFR Part 17 |  |
|-----------------|-------------------|----------------|--|
| Oahu elepaio    | December 10, 2001 | RIN 1018-AG99  |  |
| Newcomb's snail | August 20, 2002   | RIN 1018-AH94  |  |

#### STATUS OF PROPOSALS AND CURRENT COURT ORDERED DEADLINES

| RULE                             | PROPOSED RULE PUBLISHED IN FEDERAL REGISTER | END<br>COMMENT<br>PERIOD | EXPECTED<br>RELEASE DATE<br>OF ECONOMIC<br>ANALYSIS | COMMENT<br>PERIOD<br>REOPENED | END OF<br>REOPENED<br>COMMENT<br>PERIOD | FINAL RULE<br>SUBMITTED TO<br>FEDERAL<br>REGISTER |
|----------------------------------|---|--------------------------|---|-------------------------------|---|---|
| Northwestern<br>Hawaiian Islands | May 14, 2002                                | July 15, 2002            | TBA   | August 26, 2002               | Sept. 30, 2002                          | April 30, 2003                                    |
| Kauai/ Niihau                    | Jan. 28, 2002                               | March 29, 2002           | May 28, 2002  | August 26, 2002               | Sept. 30, 2002                          | Jan. 31, 2003                                     |
| Oahu                             | May 28, 2002                                | July 29, 2002            | TBA   | August 26, 2002               | Sept. 30, 2002                          | April 30, 2003                                    |
| Maui/Kahoolawe                   | April 3, 2002                               | June 3, 2002             | TBA   | August 26, 2002               | Sept. 30, 2002                          | April 18, 2003                                    |
| Molokai                          | April 5, 2002                               | June 4, 2002             | August 12, 2002                                     | August 26, 2002               | Sept. 30, 2002                          | Feb. 28, 2003                                     |
| Lanai                            | March 4, 2002                               | May 3, 2002              | June 16, 2002                                       | July 15, 2002                 | August 30, 2002                         | Dec. 30, 2002                                     |
| Big Island                       | May 28, 2002                                | July 29, 2002            | TBA   | August 26, 2002               | Sept. 30, 2002                          | May 30, 2003                                      |
| Newcomb's Snail                  | Jan. 28, 2002                               | Feb. 28, 2002            | March 21, 2002                                      |                               |   | August 10, 2002                                   |
| Kauai Cave<br>Invertebrates      | March 27, 2002                              | May 28, 2002             | TBA   | TBA                           | TBA                                     | March 30, 2003*                                   |
| Blackburn's Sphinx<br>Moth       | June 13, 2002                               | August 12, 2002          | TBA   | August 26, 2002               | Dec. 30, 2002                           | May 30, 2003*                                     |
| Guam Species                     | TBA   | TBA                      | TBA   | TBA                           | TBA                                     | June 1, 2003                                      |

*Italicized print indicates changes from the last edition.* Shaded boxes are dates past.

### **CRITICAL HABITAT DEADLINE EXTENSIONS** (\* Dates pending agreement)

The Service is currently negotiating with the Plaintiffs for extensions to court ordered deadlines. These extensions will allow more time for public input, coordination with local communities, and economic analysis. Public Comment periods will be reopened as these extensions are granted.